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UNITED STATES PATENT AND TRADEMARK OFFICE

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ELI LILLY AND COMPANY  
PATENT DIVISION/MJS  
LILLY CORPORATE CENTER  
INDIANAPOLIS, IN 46285

In re Application of :  
YAKUBU-MADUS et al. :  
Application No.: 09/830,323 :  
PCT No.: PCT/US00/15548 :  
Int. Filing Date: 06 June 2000 : DECISION ON PETITION  
Priority Date: 21 June 1999 :  
Attorney Docket No.: X-11921 :  
For: SYNERGISTIC USE OF :  
THIAZOLIDINEDIONES WITH GLUCAGON-LIKE :  
PEPTIDE-1 AND AGONISTS THEREOF TO TREAT :  
METABOLIC INSTABILITY ASSOCIATED WITH :  
NON-INSULIN DEPENDENT DISEASES :

The petition to revive under 37 CFR 1.137(b) filed 24 April 2001 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the required petition fee of \$1240 has been paid and thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

A review of the declaration reveals that it is in compliance with 37 CFR 1.497, and therefore is acceptable for entry into the national stage in the United States, however, it cannot be accepted for further processing. The third named inventor is listed as Louis Vignati on the international application publication; the third inventor on the declaration is listed as Vignati Louis. The inconsistency in the name of the third inventor must be corrected with a new declaration.

Since the declaration contains informalities that prevent further processing of the application, applicants are given ONE (01) MONTH time limit from the mail date of this

decision to provide a declaration of the inventors in compliance with 37 CFR 1.63.

EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a). Failure to file an acceptable declaration within the time limit set forth will result in abandonment of the international application as to the national stage in the United States.

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, DC 20231, with the contents of the letter marked to the attention of the PCT Legal Office.

This application is being retained in PCT Legal Office to await applicants' response.



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